

Article - Natural Resources

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§10-2A-05.

(a) Except with respect to species of wildlife or plants determined to be endangered or threatened pursuant to the Endangered Species Act, the Secretary, upon the petition of an interested person, shall conduct a review of any listed or unlisted species proposed to be removed from or added to the lists published pursuant to § 10-2A-04(f) of this subtitle, if the Secretary publishes public notice that the person has presented substantial evidence which warrants a review.

(b) When any species of wildlife or plant is listed as a threatened species pursuant to § 10-2A-04(f) of this subtitle, the Secretary shall adopt regulations necessary and advisable to provide for the conservation of the species. The Secretary, by regulations, may prohibit with respect to any threatened species of wildlife or plant any act prohibited under subsection (c) of this section.

(c) Except as provided in subsection (f) of this section and § 10-2A-05.1 of this subtitle, with respect to any endangered species of wildlife, a person may not:

(1) Export the species from the State;

(2) Take the species within the State;

(3) Possess, process, sell or offer for sale, deliver, carry, transport, or ship the species by any means; or

(4) Violate any regulation pertaining to the conservation of the species or to any threatened species of wildlife listed pursuant to this subsection and adopted by the Secretary pursuant to authority provided by this section.

(d) Except as provided in subsection (f) of this section, with respect to any endangered species of plant, a person may not:

(1) Export the species from the State;

(2) Possess, process, sell, offer for sale, deliver, carry, transport, or ship the species by any means; or

(3) Violate any regulation pertaining to the species or to any threatened species of plant listed pursuant to § 10-2A-04(f) of this subtitle and adopted by the Secretary.

(e) Any endangered species of wildlife or plant which enters the State from another state or from a point outside the territorial limits of the United States and which is transported to a point within or beyond the State may enter and be transported without restriction in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state.

(f) The Secretary may permit, under the terms and conditions he prescribes, any act otherwise prohibited by subsections (c) and (d) of this section for scientific purposes or to enhance the propagation or survival of the affected species.

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